

REMARKS

Acknowledgements

Claims 1-30 are pending in the application.

Applicant acknowledges with appreciation the Examiner's allowance of claims 22-30 and acceptance of the amendments to the title and specification.

Applicant also acknowledges that claim 19 has not changed during this prosecution and therefore remains pending in its original form.

Rejection of Claims 1-22 Under Sections 101 and 112

Claims 1-7 and 8-22 stand as rejected under sections 101 and 112 as failing to comply with the subject matter and enablement requirements. By the above amendments, and consistent with the arguments below, applicant hereby amends claims 1, 7, 8, 15 and 16 so as to overcome all of the rejections in the last office action ("O.A.").

ARGUMENTS

The Rejection of Claims 1-22 are Overcome

The last O.A. (at paragraphs 8-10) rejected claims 1-7 and 8-22 as unpatentable under Sections 101 and 112, for containing nonfunctional descriptive material and failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The O.A. also noted (at paragraph 8) that allowed claim 23 does provide functional language.

In response to the O.A., applicant hereby amends claims 1, 7, 8, 15 and 16 to recite the specific functional elements of the program executable by a computer that results in the creation and display of the electronic market calendar on the display device viewable by the user. These specific functional elements include the settlement date generator, the event-date generator, the holiday date generator and the display controller.

Currently amended claim No. 1, for example, which is reproduced immediately below, illustrates the effect of these changes.

1. A computer-readable storage medium encoded with a program executable by a computer for display of an electronic market calendar to a user, the ~~electronic market calendar~~ program comprising:

a settlement date calculator configured to generate a set of standard settlement dates pertaining to a set of transaction terms;

an event-date generator configured to generate a set of future market-related events pertaining to the set of transaction terms;

a holiday date generator configured to generate a set of holidays pertaining to a territory associated with the set of transaction terms; and

a display controller configured to display on a display device a plurality of calendar dates including the set of standard settlement dates, the set of future market-related events and the set of holidays;

wherein each one of the plurality of calendar dates that is a member of the set of standard settlement dates is displayed in a visibly distinct manner from each one of the plurality of calendar dates that is not a member of the set of standard settlement dates,

each one of the plurality of calendar dates that corresponds to a member of the set of future market-related events is displayed in a visibly distinct manner from each one of the plurality of calendar dates that does not correspond to a member of the set of future market-related events, and

each one of the plurality of calendar dates that corresponds to a member of the set of holidays is displayed in a visibly distinct manner from each one of the plurality of calendar dates that does not correspond to a member of the set of holidays.

Notably, the functional elements now recited in currently amended claims 1, 7, 8, 15 and 16 are also found in claims 23 and 24, which the Examiner has already allowed, and acknowledged as covering novel and nonobvious patentable subject matter. As a result of the amendments, it should now be absolutely clear that claims 1-22 are directed to an article of manufacture, namely a computer-readable storage medium (such as a floppy disk, magnetic tape, optical disk, etc.), containing a program comprising the recited functional elements.

The current amendments to the claims are amply supported in applicant's original application, for example, at page 5, line 14 to page 6, line 11, page 10, lines 2-7, page 12, lines 6-9, page 13, lines 3-18, page 20, line 1 to page 22, line 2, and figures 1 and 5. In particular, applicant's application specifically states, for example, that the invention may be implemented using a combination of hardware and software components (page 10, lines 2-7), that when the invention is implemented in software, such software may be stored in a computer-readable storage medium loaded into the computer system via a removable storage drive (page 21, lines 22-24), and that such software, when executed by the computer processor, performs the described functions of the invention (page 21, line 25 to page 22, line 2). Thus, the recited settlement date generator, event-date generator, holiday date generator and the display controller all comprise functional components of the software program encoded on the computer-readable storage medium.

Claims 2-6, 9-14 and 17-22, which are not currently amended, incorporate all of the subject matter of the amended claims from which they directly or indirectly depend and add additional subject matter. Therefore, these claims *a fortiori* contain novel and nonobvious patentable subject matter.

CONCLUSION

For all of the reasons stated above, applicant respectfully submits that claims 1-22, as amended, fully comply with Sections 101 and 112, and, as such, are now in condition for allowance, which action the applicant respectfully solicits.

Conditional Request for Constructive Assistance

If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P § 2173.02 and § 707.07(i) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Request for Time Extensions and Payment of Fees, If Required

If any extension of time or additional fees for this Amendment are required, applicant hereby requests that this paper be considered a petition therefore. The Director is hereby authorized to charge any additional fees to Deposit Account No. 50-2839 under Attorney Docket No. 26977-010US1.

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Very Respectfully submitted,

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